



## *The Office of the Governor*

EXECUTIVE DEPARTMENT  
STATE OF IDAHO  
BOISE

### **EXECUTIVE ORDER NO. 2006-32**

#### **AUTHORIZING THE IDAHO DEPARTMENT OF FISH AND GAME AND THE DEPARTMENT OF AGRICULTURE TO DEAL WITH DOMESTIC ELK THAT HAVE ESCAPED FROM REX RAMMEL'S CONANT CREEK FACILITY**

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*WHEREAS, the State is responsible for preserving, protecting, perpetuating and managing the wild elk herds of Idaho; and*

*WHEREAS, there is imminent threat to the health of wild elk herds of the State of Idaho and surrounding States from domestic elk that have escaped from Rex Rammel's Conant Creek Facility (Conant Creek Facility); and*

*WHEREAS, there is an imminent threat to public health and safety of the citizens of Idaho as well as neighboring states due to the escape of domestic elk from the Conant Creek Facility; and*

*WHEREAS, there is also an imminent threat of damage to public and private property from the domestic elk that have escaped from the Conant Creek Facility; and*

*WHEREAS, the owner of the private elk ranch, Conant Creek Facility, delayed notification to the State that his domestic elk had escaped; and*

*WHEREAS, any domestic elk that have escaped from the Conant Creek Facility have escaped the control of the owner for more than seven (7) days;*

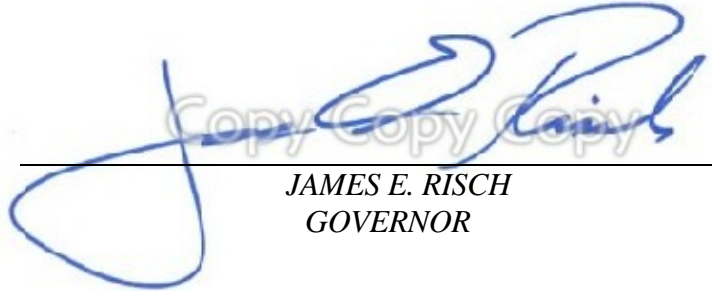
*NOW, THEREFORE, I, JAMES E. RISCH, Governor of the State of Idaho, by authority vested in me under the Constitution and laws of the State of Idaho do hereby order:*

- 1. That as a result of the facts and circumstances described above, the Idaho Department of Fish and Game and the Idaho Department of Agriculture immediately identify and shoot on site, any domestic elk that have escaped from the Conant Creek Facility; and*
- 2. The Idaho Department of Fish and Game and the Idaho Department of Agriculture shall exercise all statutory authority necessary to take, as defined under title 36, section 202(i) and control as authorized under title 25, section 3705A and title 36, section 104 of the Idaho Code, any domestic elk that have escaped from the Conant Creek Facility; and*
- 3. The Idaho Fish and Game Commission shall promulgate an emergency rule or proclamation:*
  - a. That allows licensed hunters to identify and shoot on site any domestic elk that have escaped from the Conant Creek Facility and possess the carcass of the animal taken; and*
  - b. That allows private property owners to identify and immediately kill any domestic elk on their private property that have escaped from the Conant Creek Facility and possess the carcass of the animal taken; and*
  - c. That places no limit on the number of escaped domestic elk from the Conant Creek Facility that can be taken by any private property owner on their property or licensed hunter; and*
  - d. Requires anyone who takes a domestic elk that has escaped from the Conant Creek Facility to notify the Idaho Department of Fish*

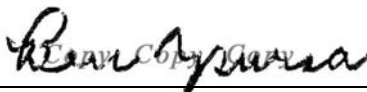
- and Game within three business days of the taking and provide the identification number of the elk to the Department; and*
- e. Requests, but does not require, any individual who takes a domestic elk that has escaped from the Conant Creek Facility provide a brain, blood and tissue sample to the Idaho Department of Fish and Game.*
- 4. Pursuant to title 25, section 3705A of the Idaho Code no licensed hunter, state agency, state employee, nor the State shall be liable for the taking, possessing or consuming of any domestic elk that have escaped from the Conant Creek Facility; and*
- 5. No private landowner shall be liable for the taking, possessing, or consuming any domestic elk on their property that have escaped from the Conant Creek Facility pursuant to the emergency rule promulgated.*



*IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho at the Capitol in Boise on this 7th day of September in the year of our Lord two thousand and six and of the Independence of the United States of America the two hundred thirty-first and of the Statehood of Idaho the one hundred seventeenth.*

A blue ink signature of James E. Risch, written in a cursive style, positioned above a horizontal line.

JAMES E. RISCH  
GOVERNOR

A blue ink signature of Ben Ysursa, written in a cursive style, positioned above a horizontal line.

BEN YSURSA  
SECRETARY OF STATE